

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CHARLIE O'NEAL PETERSON,

Petitioner,

V.

STATE OF ALABAMA, et al.,

Respondents.

2:06-cv-00260-RDP-JEO

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (Doc. #8) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accordance with the recommendation, the petition for writ of habeas corpus is due to be denied and dismissed with prejudice. An appropriate order will be entered.

DONE and **ORDERED** this 24th day of May, 2007.

20 pm

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE